

Item 39)

JULY 1, 2011

REGULAR MAIL

SHANE HARRINGTON
DBA SMOOTH
1640 O ST.
LINCOLN NE 68508

SHANE HARRINGTON
DBA SMOOTH
9420 LARGES CT
LINCOLN NE 68512

RE: PUBLIC DANCE PERMIT APPEAL

DEAR MR. HARRINGTON:

This letter is to advise you that your Appeal Hearing has been scheduled for hearing before the City Council at its regularly scheduled meeting on **Mon., July 11, 2011 at 3:00 p.m.** in the Council Chambers, located on the first floor of the County-City Building at 555 South 10th Street.

If you **absolutely cannot** attend the meeting due to an **emergency**, you **must** contact the City Clerk's Office as soon as possible **prior** to the hearing date. Failure to appear at the hearing **without prior notification** is cause for an automatic denial.

If you have any questions in regard to this matter, please do not hesitate to contact me at (402) 441-7437, Monday-Friday, 8 a.m.- 4:30 p.m. CST.

SINCERELY,

TERESA J. MEIER
DEPUTY CITY CLERK

pc: file

Jeff R. Kirkpatrick

From: Robert Kawamoto [lpd342@CJIS.LINCOLN.NE.GOV]
Sent: Tuesday, July 05, 2011 3:24 PM
To: Jeff R. Kirkpatrick
Subject: RE: Smooth dance permit
Attachments: Smooth Annual Teen Dance App.pdf

I was asked to sign off on an Annual Teen Dance Application filed by Mr. Harrington on 06-07-2011. The ordinance indicates that Mr. Harrington is to provide proper and adequate adult supervision for those dances.

- A.) His application requested the names of those individuals providing supervision during dance events. He indicated, "Haven't hired the rest as of right now." In my opinion the application is incomplete in that we are being asked to sign off on individuals that are unknown.
- B.) The ages of participants are going to be as young as 14 years of age. It is difficult to sign off as "proper and adequate" adult supervision for 14 year olds on someone who runs adult websites (Mr. Harrington). If the council wishes to do so, they have that option. I would contend that the issues that have tended to impede Mr. Harrington's approval for a liquor license would also prevent him from being considered "proper and adequate" adult supervision. However, individual council members can differ in their opinion and vote to approve him.

Let me know if there's something else that you need.

Capt. Kawamoto

ANNUAL TEENAGE PUBLIC DANCE PERMIT APPLICATION

Governed by Lincoln Municipal Code Chapter 5.20

Revised 2/28/08

FEE: \$50.00; **LICENSE YEAR:** June 1 thru May 31; **RESTRICTIONS:** Admit only persons 14 yrs. of age & over & who have not reached their 19th Birthday.; Please allow a **minimum of 2 WEEKS** for processing.

RETURN APPLICATION, SITE PLAN & PAYMENT TO: City Clerk's Office, 555 S. 10th St., Lincoln NE 68508 (Make checks payable to **City of Lincoln**.) (Please note: Payments by check authorize the City to make a one-time electronic fund transfer. Funds may be withdrawn immediately and your check will not be returned.)

THE SITE PLAN MUST INCLUDE:

- A diagram of the space to be used for dancing
- Any dressing rooms, check rooms, bathrooms, entrances, exits, stairways, elevators & fire escapes.
- Must be no larger than an 8½" x 11" sheet of paper.
- **Must be attached to this application *prior* to submission. *APPLICATION WILL BE RETURNED IF THIS IS NOT SUPPLIED.***
- A new application **MUST** be submitted if **ANY** changes are made to the establishment or dance area after the permit has been approved. This includes change of owners, remodeling, changes to the establishment site plan, etc.

Please Note: Lincoln Municipal Code Section 5.20.130 **requires** all dances to end by 12 a.m.

Please PRINT using blue or black ink only.

APPLICANT'S INFORMATION - must be 21 yrs. of age					
NAME:	Shore Harrington				
STREET ADDRESS:	9425 Longes Ct.				
CITY:	Lincoln	STATE:	NE	ZIP:	68512
PHONE #:	402-310-4373	CELL#:	—		
D.O.B.:	3/21/75				
EMAIL ADDRESS:	Shore@shoreharrington.com				

BUSINESS INFORMATION					
NAME:	Smooth				
STREET ADDRESS:	1640 08				
CITY:	Lincoln	STATE:	NE	ZIP:	68508
PHONE #:	402-261-8432	CELL#:		FAX #:	402-261-8434
EMAIL ADDRESS:	Smoothlincoln@gmail.com				

MAILING ADDRESS			
NAME:	Smooth		
STREET ADDRESS:	1640 D st		
CITY:	Lincoln	STATE:	NE
		ZIP:	68508

PROPERTY OWNER'S INFORMATION			
NAME:	Dean Investments		
STREET ADDRESS:	1612 F #8		
CITY:	Lincoln	STATE:	NE
		ZIP:	68508

MAX. # OF PERSONS ALLOWED ON THE PREMISES (OCCUPANCY):	
FLOOR OF BUILDING WHERE DANCING & ALL OTHER ROOMS ARE LOCATED (i.e., 1 st , 2 nd , etc.):	
1 st floor - only occupy one floor in building	

EMPLOYEE INFORMATION		
Names of all persons employed by applicant in conducting dance		
Shane Harrington		
Brandon Hodge		
John Sedlacher		

MINIMUM NUMBER OF ADULT SUPERVISORS:	7
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NAME(S), ADDRESS(ES), & AGE(S) OF SUPERVISORS		
Names	Addresses (Include City, State, & Zip)	Age
Shane Harrington	9420 Longes Ct. Lincoln NE 68512	36
Brandon Hodge	3711 Faulkner Drive	30
John Sedlacher	1351 Prairie View Road Eagle, NE	30

Haven't hired the rest as of right now

HAVE ANY OF THE ABOVE-NAMED INDIVIDUALS BEEN FOUND GUILTY OR PLEAD GUILTY TO A MISDEMEANOR INVOLVING MORAL TURPITUDE OR HAVE BEEN CONVICTED OR PLEAD GUILTY TO ANY FELONY? Yes _____ No X

If yes, list names of person & where it occurred & explain (use separate sheet of paper if necessary):

NAME	CITY & STATE OF WHERE IT OCCURRED	EXPLANATION

Shane Harrington
Printed Name of Applicant

6/7/11
Date

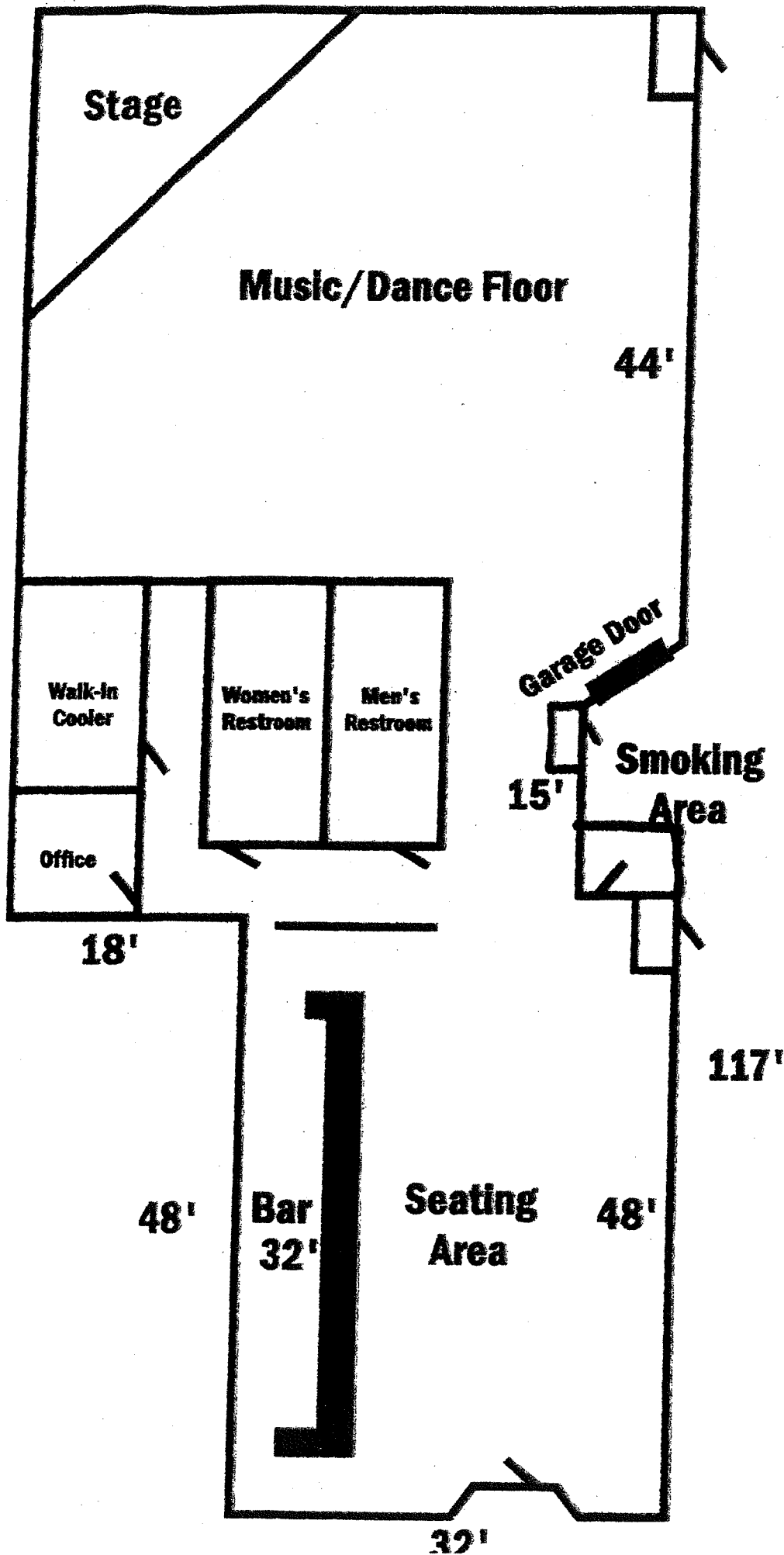
SUH
Applicant's Signature

Applications are available on the City's web site at "www.lincoln.ne.gov"

REVIEWING ACTION - OFFICE USE ONLY

DEPARTMENT	APPROVED / DENIED	SIGNATURE	DATE
Bureau of Fire Prevention:			
Police Dept.:			
Health Dept.:			
Building & Safety Dept.:			

COMMENTS



**Entire One
Story Bldg.
Approx.
117'x50'**

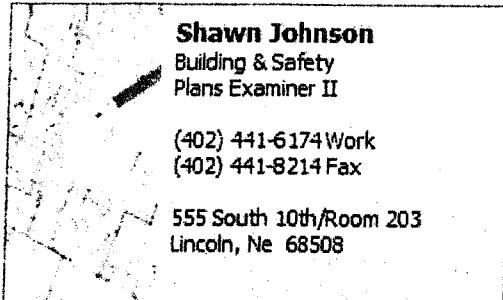
**No
Basement**

Teresa Meier

From: Shawn M. Johnson
Sent: Wednesday, June 08, 2011 11:53 AM
To: Teresa Meier
Subject: RE: Smooth - Annual TEEN Dance App.
Attachments: Shawn Johnson.vcf

OK with Building and Safety

Shawn



From: Teresa Meier
Sent: Wednesday, June 08, 2011 11:44 AM
To: Charles A Butler; Chuck Schweitzer; Janet K. English; Robert H Kawamoto; Shawn M. Johnson
Subject: Smooth - Annual TEEN Dance App.

For your review - Smooth has submitted an Annual TEEN Dance App. now.

Please email your recommendation to me. Thanks!

Teresa J. Meier, Deputy City Clerk
City of Lincoln, Nebraska
(402) 441-7437 / Fax: (402) 441-8325

Life is a ride. Strap in, hang on, & keep your eyes open! - Michael J. Fox

Teresa Meier

From: Robert Kawamoto [lpd342@CJIS.LINCOLN.NE.GOV]
Sent: Wednesday, June 08, 2011 1:06 PM
To: Teresa Meier
Subject: RE: Smooth - Annual TEEN Dance App.

LPD will decline this application.

Capt. Kawamoto

From: Teresa Meier [mailto:tmeier@lincoln.ne.gov]
Sent: Wednesday, June 08, 2011 11:44 AM
To: Charles A Butler; Chuck Schweitzer; Janet K. English; Robert H Kawamoto; Shawn M. Johnson
Subject: Smooth - Annual TEEN Dance App.

For your review - Smooth has submitted an Annual ~~TEEN~~ Dance App. now.

Please email your recommendation to me. Thanks!

Teresa J. Meier, Deputy City Clerk
City of Lincoln, Nebraska
(402) 441-7437 / Fax: (402) 441-8325

Life is a ride. Strap in, hang on, & keep your eyes open! - Michael J. Fox

JUNE 8, 2011

SHANE HARRINGTON
DBA SMOOTH
1640 O ST.
LINCOLN NE 68508

RE: ANNUAL TEENAGE PUBLIC DANCE PERMIT

DEAR MR. HARRINGTON:

Please be advised that the Annual Teenage Public Dance Permit Application has been **denied** by the Lincoln Police Department on this date. Attached is your check for the \$50 permit fee.

You may appeal the denial to the Lincoln City Council. Please submit your appeal, **in writing**, to this office within 10 days of the date of this letter.

If you have any questions in regard to this matter, please do not hesitate to contact me at (402) 441-7437, Monday-Friday, 8 a.m.- 4:30 p.m. CST or by email at tmeier@lincoln.ne.gov.

SINCERELY,

TERESA J. MEIER
DEPUTY CITY CLERK

pc: Building & Safety
Fire Prevention
Lincoln Police Department
Health
File

JUNE 22, 2011

SECOND NOTICE


CITY OF LINCOLN
NEBRASKA

MAYOR CHRIS BEUTLER
lincoln.ne.gov

Office of the City Clerk
Finance Department
Don Herz, Director
555 South 10th Street
Suite 103
Lincoln, Nebraska 68508
402-441-7436
fax: 402-441-8325

SHANE HARRINGTON
DBA SMOOTH
1640 O ST.
LINCOLN NE 68508

SHANE HARRINGTON
DBA SMOOTH
9420 LARGES CT
LINCOLN NE 68512

RE: ANNUAL TEENAGE PUBLIC DANCE PERMIT

DEAR MR. HARRINGTON:

Please be advised that this is the second notice that the Annual Teenage Public Dance Permit Application was **denied** by the Lincoln Police Department on June 8, 2011.

The first notice was sent on June 8, 2011 to the mailing address specified on the application which was 1640 O Street, Lincoln NE 68508. In visiting with Brandy, by telephone, however, she has indicated you have never received the letter. As of this date, our office has not received it back from the Post Office as undeliverable.

Therefore, we can only conclude it was lost & are sending this second notice. You may appeal the denial to the Lincoln City Council. Please submit your appeal, **in writing**, to this office within 10 days of the date of this letter.

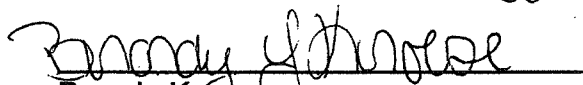
If you have any questions in regard to this matter, please do not hesitate to contact me at (402) 441-7437, Monday-Friday, 8 a.m.- 4:30 p.m. CST or by email at tmeier@lincoln.ne.gov.

SINCERELY,


TERESA J. MEIER
DEPUTY CITY CLERK

pc: Building & Safety
Fire Prevention
Lincoln Police Department
Health
File

*Picked up in person on this date June 23, 2011, by


Brandy Kroese

FILED
CITY CLERK'S OFFICE
2011 JUN 23 PM 1 15
Smooth
CITY OF LINCOLN
1644 "O" Street, Lincoln, NE 68508
NEBRASKA

June 23, 2011

RE: Annual Teenage Public Dance Permit denial for Smooth

Dear Teresa Meier,

This is my appeal to being denied by the Lincoln Police Department on my teenage dance permit. I don't understand how or why this happen! I have no alcohol in my establishment and meet all safety requirements to be open to the public. I also would of course be setting my events up so they line up with all rules and regulations in having a teen permit.

I have a hard time understanding how I can raise a teenage daughter but I can't put on dance with teenagers? If you ask my daughter or any of her friends I am the strictest parent out there. Is there something more you would like me to do? I am willing to accommodate any request in order to make everyone feel good about these dances. I had already planned to meet with parents an hour before each dance to show them the club, go over everything we have planned that night and so on. I also would expect my own daughter would be at all these dances and her safety and the safety of all around her would be my ONLY focus.

I am asking for a teen dance night once a week on Thursdays for the remainder of the summer and that's it. We are talking 7-8 dances and then school would start and they would be over till next summer at the earliest. Please reconsider my request, this is not only for me to help keep my business running but it's to give these kids something to do in summer. We all have to be in agreement there is little to nothing for teenagers to do in the summer in Lincoln, NE especially in the evenings.

Thanks, Shane Harrington



Smooth 1644 Ost Lincoln, NE 68508 (402) 261-8432 Smooth@Smoothlincoln.com

